

Quid Novi

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JAN 27 1985

VOL. VI NO. 14

McGILL UNIVERSITY FACULTY OF LAW
FACULTE DE DROIT UNIVERSITE MCGILL

January 22, 1985
22 janvier, 1985



APARTHEID: BEYOND DEBATE

by
Asher Neudorfer
and
John Richards

The International Law Society at U. of T. Law School found itself at the centre of a storm last week. The ILS had invited the South African Ambassador to Canada and our own Professor Irwin Cotler to debate the application of international law to the policies of the apartheid regime.

The anticipation was shattered last week when some anti-apartheid activists and black students and professors grouped to end the Ambassador's participation in the debate. They also filed in the Ontario Supreme Court for an injunction restraining the U of T from allowing any apartheid officials onto campus.

The ILS backed off, and withdrew the invitation to the Ambassador. But an ad-hoc group, ostensibly offended at the infringement of the Ambassador's free speech, and its freedom to hear him, reinvited the debaters, as did a branch of the media, who wanted to stage the event on the national air.

Meanwhile, the Globe and Mail editorialized on behalf of the Ambassador's free speech and the educational value of listening to other's views, however unpopular.

This is a compelling case. Why not stage the debate, and allow the logic of Professor Cotler's case against apartheid (not to mention his skill at presenting it) to expose a bankrupt policy and regime that stands almost universally condemned? Is this

not the forum where truth and justice can and should conquer?

The ILS withdrew the invitation to the Ambassador, not wanting to be "construed as giving any credibility to any discussion of the legitimacy of apartheid." This is not as forcefully stated as it could be. The ILS aims at the advancement of international law. The idea of crimes against humanity was enshrined at the Allied Powers' trial at Nuremberg of Nazi war criminals. The concept has since been affirmed as an indisputable component of international law in the judgements of international and municipal courts, treaties, covenants and the consciousness of the world. No one would seriously suggest the necessity or desirability of

Cont'd on p. 3

JUDGE ABELLA ON EQUALITY

by Brigitte Catellier

On Thursday, January 9th, Forum National invited Judge Rosalie Abella to speak on "Section 15 of the Charter and Equality Rights". Better known for her report as sole commissioner of the Commission on Equality in Employment, Judge Abella was appointed to the Ontario Provincial Court (Family Division) in 1976, four years after her admission to the Ontario Bar. She is presently

Chairman of the Ontario Labour Relations Board.

What is equality? According to Judge Abella, equality is freedom from adverse discrimination at the very least. It is a process of introspection and open mindedness. Those who don't understand equality understand fairness, and what is happening to women, racial groups, handicapped persons and minority groups is not fair. Judge Abella emphasized the

situation regarding women. She stated that marriage was seen as a relationship of equals only twenty years ago, and, on the labour force, even though more women work, qualitative participation has not improved much.

Equality means equal access free from arbitrary obstruction of discrimination; that is, equal opportunity to all. Judge Abel-

Cont'd on p. 11

ANNOUNCEMENTS

LSA Office Hours

There are no official LSA Council office hours this semester. Any student who wishes to talk to an LSA Council member should leave a note in that rep's box.

Phone

The LSA phones are for the use of everyone. In order to make sure that everyone does get a chance to use the phones, **please keep your calls SHORT (2-3 minutes).**

If you need directory assistance (411), please use the payphones. Every 411 call made on LSA phones costs the LSA 60 cents. These 411 calls are our only additional charge. There are certainly better ways to use the LSA's money. The 411 calls on the payphones are free -- put in a quarter, ask for the information, and get your quarter back.

Thank you.

TALMUD CLASS

First class of this semester:

Thursday, January 23
1:00 p.m.
Room 203.

Due to popular demand, classes will now be held weekly.

All topics will be of general interest. No background is necessary.

EVERYONE WELCOME

Skit Nite

Deadline for submission of skits is Friday, February 21. So start working on your skits now. If you want to discuss ideas, leave a note for Chris Allard on the LSA door, or get in touch with Vince Gallo or Teresa Scassa.

Notice to all Students

1. Changes to semi-obligatory requirements for the LL.B. degree

May I remind you of the decision of Faculty Council of September 26, 1985 by which the common law semi-obligatory requirement for the LL.B. degree was reduced from 15 to 6 credits. This change is applicable to all students graduating in the 1986 year. Students not graduating in the 1986 year are advised that Faculty Council will be discussing the semi-obligatory regime for future years in its spring sessions.

2. Semi-obligatory requirements for the B.C.L. degree:

At its meeting of November 28, 1985, Faculty Council approved a reduction in the civil law semi-obligatory requirements for the B.C.L. degree from 17 to 13 credits for all students currently registered in the Faculty. As a consequence, students who will be obtaining a B.C.L. degree in 1986 need only acquire 13 civil law semi-obligatory credits.

Women and the Law

Wednesday, January 22 at 12:00 noon in Room 203, Chief Myrtle Bush of the Kahnawake Reserve will be speaking on the political and legal problems of the native people. This topic will be presented in the context of past, present, and future changes, and the effect of the Indian Act on the traditional native government. Emphasis will be placed on the native women's role.

Legal Aid

Legal Aid Keeners! Attend a very important lecture on Immigration Law given by Me Michael Bergman on Wednesday, January 28th at 7:00 p.m. in Room 101.

Clean Air Lobby

A meeting will be held for all those interested in reviving the clean-air lobby on Thursday, January 23, 1986 at 4:00 p.m. in Room 101.

Notice

A C.V. Workshop will be held in the office of Mr. André Lemieux on January 29, 1986. Several times during the day have been set aside to conduct this Workshop and those interested in participating should see Mrs. Higgins in the Admissions Office to set up an appointment. A notice to this effect is also posted in the Placement Centre.

Debate**Cont'd from p. 1**

a university debate in 1942 starring Joseph Goebbels. A Nazism debate would mock the efforts to bring that reich to a speedy end. It would also be an intolerable affront to Jews.

The status of apartheid as a crime against humanity is no less settled in international law than that of genocide or torture. (It has been said that the three go hand in hand). The South African government is in contravention of international law on human rights, labour standards, use of torture and political repression, use of force against other sovereign states...the list goes on. The country is alone in having a crime against humanity entrenched as a national constitution and a way of life.

What is there here to be debated? Are we also to debate the application of international law to Nazism and the gassing of the Jews? And when we are done how about inviting Clifford Olson for a debate on the applicability of Judeo-Christian morals and criminal law to child murder?

An appearance by the Ambassador can perhaps be characterized not as free speech, but rather as the perpetuation of an international crime. Is such a debate really an innocent pedagogical presentation of an unpopular viewpoint, or a component of the Ambassador's efforts to help apartheid survive?

Freedom of speech is not, nor should it be, an absolute right -- it must be tempered by the harm it may cause, and the conflicts it may occasion with existing rights of others. In our Canadian democracy there is more than one protected freedom and there is

no presumption that one freedom is more necessary than another. When the defence of apartheid creates a serious affront to the dignity of those persons whose race, colour or ancestry it targets, it violates other equally guaranteed rights under the Charter -- multiculturalism, equality rights, and security of the person. A delicate balance must be established between these rights -- in this situation the weight of international law significantly tips the scale in favour of denying a platform to the Ambassador.

We cannot honour our legal and moral commitments to protecting Canadian minorities, nor our international responsibilities in the abstract. Difficult choices cannot be avoided by claiming that this or that right is absolute. The choice is not the denial of freedom of speech -- it is rather its redefinition in the light of the society that we are trying to build in Canada.

We have as a society already defined certain types of speech which do not deserve constitutional protection. They include obscenity, hate propaganda, incitement to violence, libel, and sedition. Surely this extends to the international crime of apartheid -- a crime which has become part of binding customary international law.

And what of the argument against prior restraint of free speech? (Restraint before it is even known what will be said.) The Ambassador, as U. of T. Law Dean Prichard noted, "must present not his own opinion but rather the opinion of the government he represents." In 1942 we'd had about 10 years to learn what the Nazis stood for. In 1986 we've had somewhat longer to learn what the

South African government stands for.

Daily reports from that country lay claims of reform bare. The forced resettlements (and mass denationalization, in contravention of international law) of entire sub-population groups, to arid areas in which very survival is unlikely, continue. Mass firings of striking indentured labourers (employed in conditions outlawed in international law on labour) continue. Brutal raids on refugee settlements in neighbouring states (in contravention of international law) continue. To withdraw an invitation to the Ambassador of that regime is no prior restraint.

In any case if we find that a particular speech is unprotected and criminal in intent, then prior restraint should no longer be objectionable. Our Criminal Code provides, albeit under exceptional circumstances, for the prior restraint of certain criminal activity (i.e. conspiracy laws). It is neither radical nor novel to extend this concept to the crime of apartheid.

And what of Bishop Tutu's debate with the Ambassador on TV a few weeks ago? Tutu is inextricably linked in an internal struggle with the regime. His tactic cannot be boycott. His call to the world to isolate the apartheid regime, however, could not be clearer.

Professor Cotler is asking himself, "What best can I do as a Canadian to contribute to a speedy end to apartheid?" Our status vis-à-vis South Africa requires that we answer this question about our links with apartheid in trade, diplomatic, cultural, spor-

Cont'd on p. 6

Quid Novi is published weekly by students at the Faculty of Law of McGill University, 3644 Peel St., Montreal H3A 1W9. Production is made possible by support of the Dean's office and by direct funding from the students. Opinions expressed are those of the author only. Contributions are published at the discretion of the editor and must indicate author or origin.

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Quid Novi est une publication hebdomadaire assurée par les étudiants de la faculté de droit de l'université McGill, 3644 rue Peel Montréal, H3A 1W9. La publication est rendue possible grâce à l'appui du bureau du doyen, ainsi que par le financement individuel des étudiants. Les opinions exprimées sont propres à l'auteur. Toute contribution n'est publiée qu'à la discréction du comité de rédaction et doit indiquer l'auteur ou son origine.

GRADES 1985

by Joe Kary
Debbie Raicek
Lisa Steinberg

The overall results of fall term grades were positive. Fears that the D grade would be used as a replacement for low C's were generally proved to be unfounded. Instead, the D grade appeared to absorb many of the F's and fulfilled its potential as an intended buffer. On the whole even the courses whose marks fell at the lower end of the spectrum did not have an unreasonable amount of failures.

There was some concern with respect to the 11.9% failure rate of Professor Foster's Property IA course. It should be noted, however, that although the exam was technically worth 50% of the final grade, it covered material on which students will not be re-examined at the end

of the year. Included in these materials was the notoriously complex subject of perpetuities. Foster commented that it was necessary to keep in mind that the midterm was a learning experience; the emphasis in calculating final grades will not be a totally mathematical calculation, but rather a discretionary process based on improvement.

The most talked-about results were of course those of Professor Scott's Constitutional Law course. A Faculty decision was taken at the marks meeting to alter his course grades (see accompanying chart). Although not a precedent, this type of review has not occurred frequently in the past. At the time of printing the Quid was not able to contact all those concerned. A more in-depth report on this issue will follow soon.

149	B	721	DC	
160	F			
163	C	743	C+	
195	D	766	A-	A 1
264	F	783	B	A- 1
267	B-	817	C+	B+ 0
302	D	861	FD	B 3
306	FD	862	A	B- 2
326	FC+	891	B-	C+ 46
334	C+			C 5
349	FD			D 814
366	FD			F 187
390	FD			
456	D			
474	F			
482	F			TOTAL 39

By decision of the Faculty at a meeting held on January 15, 1986 I have been instructed to enter the following grades for the mid-term evaluation in the course Constitutional Law (Section 02). These marks are not those assigned by Prof. Scott, which marks are indicated in the appropriate column on the marks sheet. Prof. J. Scott expressly dissociates himself from any mark appearing in red on the Mark Sheet.

SIGNATURE: *R. Macdonald (per)*

AN INTERVIEW WITH M^e PIERRE SEBASTIEN

by Judy Kennedy

The former Bâtonnier of the Province of Quebec, Maître Pierre Sébastien, Q.C. is an associate with Lafleur, Brown, De Grand-pré. This interview was conducted on November 18th, 1985 for Quid Novi.

Quid: Is the creation of new opportunities for lawyers a concern of the Barreau du Québec?

Me Sébastien: The greatest concern of the Barreau is the "numbers problem" -- how to accommodate the new graduates who want to practise law in Quebec. There are now between six and seven hundred graduates a year coming through from six law schools. On a pragmatic plane, the Barreau has created, through its Members' Services Department, an employment clearing house for young unemployed graduates. The Junior Bar of Montreal is also very active in this regard. With respect to new outlets, the Barreau favours the establishment of mediation centres and programs. This is already underway in Family Law. The traditional areas of practice are compressed; the only alleviation is with the mediation process.

Quid: What structures are being considered to implement this process?

Me Sébastien: The Barreau is now studying the possibility of establishing mediation centres in all areas and on a geographic basis, similar to the pilot project established by the Canadian Bar Association in Windsor. This is a private centre staffed by social workers and lawyers. It

handles disputes between neighbours, minor criminal matters, and employment problems if both sides are prepared to mediate. It is essential to develop other ways of resolving conflicts. Courts are difficult of access now, both because of the time element involved and because of the increase in costs. Apart from the Small Claims Court and the Legal Aid services, there is very little in terms of low cost justice for the average citizen.

A further solution which I encouraged is the institution of a prepaid legal insurance plan -- for the middle class. Its success depends on the support of large organizations such as labour unions who could include it as a benefit in their collective agreement. G.M. has already established such a plan. Lawyers are prepared to publicize it, if the unions pick it up. This represents new opportunities for recent graduates.

Quid: Would you comment on the change of emphasis incorporated into the Bar Admission program?

Me Sébastien: The reorganization of the Bar School program was brought about by the realization that it was still too much of a review of all the basic B.C.L. courses. It was felt that a more practical curriculum was needed and that students are supposed to have the necessary theoretical background when they are admitted. But this new concept of "learning by doing" will require continuing consultation with the Deans to ensure that the required courses are maintained. The Ontario experience indicates

that their students were not sufficiently prepared theoretically and consequently they have been considering, and in fact have recommended, an increase in their obligatory content.

At this point B.C. has a new Bar School program based on the Australian/New Zealand models; Quebec's will be started as a pilot project with 100 students in September '86. Ontario might well follow, so we hear.

Quid: What were your particular goals on assuming the office of Bâtonnier in 1984?

Me Sébastien: At that time, the Barreau was in a period of self-examination. The building of the new headquarters had divided the membership. We established a "soul searching" committee -- the Laflamme Committee -- to determine directions, priorities, preferred activities. The Committee's recommendations will be the subject of discussion in January. One age-old problem we face is the apparent contradiction between the Bar's duty to protect the interests of its members and those of the public. The latter is the main obligation imposed on professional organizations in Quebec. But the Bar is the only organization that can properly protect the interests of lawyers. The Committee has recommended dissociating the two but it would appear that the membership still feels the Barreau should continue pursuing the two objectives together. How? Well, as an individual, a lawyer must put the client's interests ahead of

DIRTY DEEDS

by Holly Nickel

After reading Bettina's article on vandalism (Quid, January 15) I was reminded of my own unpleasant pre-exam experience. It wasn't the approaching exams that caused me to wince but the discovery that a student or group of students was childish enough to actually "steal" the recent Property I and Obligations I exams from the folder put on reserve in the library (as if the examination process

is not sufficiently difficult without the students working at cross purposes to each other).

After speaking to other first-year students I learned that there had been other instances of "sabotage", namely a Constitutional reading assignment and some Tutorial research assignments. I can only imagine that the individual(s) responsible were insecure and panicked

enough to believe that by impeding others their own results would somehow become that much more impressive. Especially with Mooting just around the corner the wellknown saying "united we stand, divided we fall" will be tried and proven true.

I can only hope that now that the marks are out a lesson has been learned and that all will be well come Final Exams Round 2.

Interview

Cont'd from p. 5

his own and I see no difference in the Barreau's pursuit. An example was the case of no-fault insurance. The Barreau favoured a mixed regime of no-fault state compensation plus an optional access to courts beyond a set limit; unfortunately, we were ac-

cused of doing this in our interest rather than in the public interest. To this day, we hear complaints from the general public that automobile accident victims are not treated correspondingly with victims of other types of accidents and we still believe that our solution was more equitable.

Another particular in-

terest of mine was the introduction of a regulation allowing lawyers to advertise a specialty. This has been passed.

Now the Maison du Barreau is operative and financially stable. The Bar Admission program is being reorganized and the Bar is moving ahead. It is my greatest satisfaction!

Debate

Cont'd from p. 3

ting and academic arenas. No one would argue that genocide and torture should not be profited from, associated, played, or debated with. Why should apartheid be different?

Professor Cotler's decision at time of going to press -- insisting that a

representative of the African National Congress be onstage to represent the country's blacks -- is to be lauded as an eloquent stand. This does not mean that Professor Cotler should next impose conditions on an invitation to debate the Soviet Ambassador. We all condemn flagrant human rights abuses in that country. But no one seriously claims that Soviet socialism is a crime

against humanity, or questions the legitimacy of that regime.

Does the fact that we have doubts about this reflect our insistent whiteness as a society? Would we find this stand a little easier to understand and take, if we, along with most of the nations that eschew any contact with South Africa whatsoever, were a nation of colour?

QUOTE OF THE WEEK

LSA President Bettina Karpel on whether McGill Law students should donate blood: "We've given enough this week."

FARLEY MOWAT TAKES ON AMERICAN SECURITY

by Terry Pether

Author Farley Mowat's latest book is not about whales, wolves, or seal pups. It is about the trip to the United States he never made. On April 23, 1985, as he was about to embark upon a promotional tour for Sea of Slaughter, beginning in California, Mowat was prevented from boarding his plane by an officer from the American Immigration and Naturalization Service (INS) at Pearson International Airport in Toronto. It seems that the Americans have a security file on one of our most esteemed writers.

In the days that followed, Mowat kept the story alive in every major North American news service, network, and publication, venting his anger through his irreverent sense of humour. He proffered several possible reasons why his name was honoured in the "black book". Of course, he is an ardent environmentalist and supports the NDP. Furthermore, he has Russian friends, and, indeed, made a couple of trips to Siberia in earlier years. Once he plotted to steal a bomb

from an American military base in Newfoundland and hold it hostage until the Yanks left. Then there was the time, he boasted, that he fired his .22 at USAF bombers flying some five miles overhead in the skies of Manitoba.

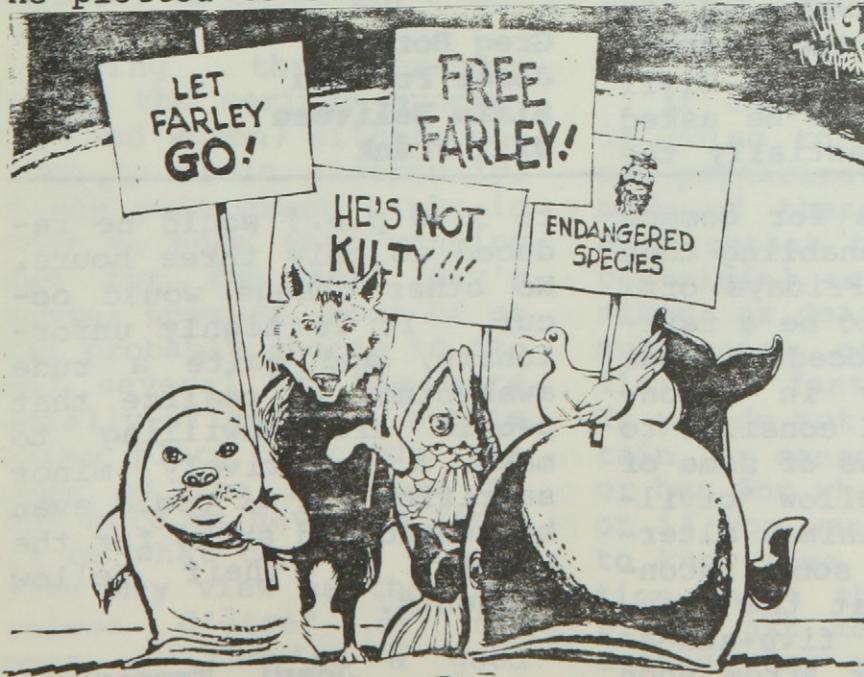
American citizens reacted to the bad pun with a mixture of shame and amusement. The INS took Mowat even more seriously. When they eventually offered to discuss his file with him in the middle of the Peace Bridge at Ft Erie/Buffalo, Mowat would have none of it. He insisted that he would not return to the U.S. until they sent Air Force One to pick him up, carrying an apology.

Farley's misfortunes gave much fun to the media and its public. But they also brought to light the McCarron-Walter Act, passed in the McCarthy era in 1952, which everyone had long since thought was dead and buried. The Act provides for a "lookout book" of security risks including "the mentally retarded, the insane, or formerly insane, sexual deviants, drug addicts, alcoholics, beggars, prostitutes, the ever-present polygamists

and foreigners with unacceptable political views". Farley Mowat is not alone among the hundreds of Canadians who have made the list. Others include our own Pierre Elliot Trudeau.

To escape the black list, one is forced to apply for "defector status". This is followed by intense interrogation and scrutinization of one's past during which one must recant former friendships and associations. Even then, the reasons for one's file are not disclosed. Trudeau was granted clearance in 1956, but not before he was fingerprinted and submitted to a year long process, the details of which he keeps to himself. Mowat was only offered a sort of "parole" to travel in the United States without legally being "admitted". He chose to stay home with his mountains of mail, mostly sympathetic though one irate doodle-dandy post-scripted that Farley looks just like Karl Marx.

Mowat found a new respect for the average American in their letters, but the hypocrisy of the Reagan administration's actions disturbed him greatly, especially amid the hoopla of Mulroney's so-called "good neighbour policy". The U.S. government cannot ban Mowat's books or ideas because of the almighty First Amendment, yet it can keep his kilted body out of the country for paranoid reasons inconsistent with the "land of the free". So the INS succeeded in nothing and Mowat succeeded in making them look like fools. To experience first hand the excellent job he does, get My Discovery of America, by Farley Mowat. Annoying at times, it's an extremely funny read. Meanwhile, the McCarron-Walter Act lives on.



LETTERS TO THE EDITOR

Dear Editor,

On November 28, the Faculty Council made a number of important decisions concerning the structure of the law program at McGill. Several worthwhile changes were adopted. In our view, however, one of the changes is misguided and tends to undermine the integrity of the Common Law education which the Faculty will offer in the future. It is perhaps worthwhile to note, parenthetically, that this change was made in the context of proposals concerning the CIVIL LAW curriculum.

At the meeting, the Council decided to reduce the weight of the basic Common Law courses for Civil Law students. The new weighting will be as follows:

Contracts:

Now: 6 credits

As Approved: 4 credits

Property:

Now: 6 credits

As Approved: 4 credits

Torts

Now: 4 credits

As Approved: 3 credits.

The stated intention (with which we can agree) is to streamline the program by eliminating redundancy between Civil and

Common Law courses in these areas. The intent is to achieve this without sacrificing the breadth or depth of the courses, through a restructuring of their syllabuses. No specific proposals have been made on how this will be achieved.

We have the following very serious concerns about this decision.

1. The approach, case law, and method of argument of the Common Law is sufficiently distinct from the Civil Law of obligations and property that very little of the material could be eliminated without sacrificing the coherence and scope of the courses and program.

2. Minor redundancies do exist, most obviously in Contracts in the area of offer and acceptance. However, such redundancies can be minimized through the pedagogic approach adopted in the classroom. They certainly do not account for one third of the material covered and do not justify reducing the credit weight by that amount.

3. If the volume and quality of material covered is not to be downgraded in proportion to the reduced course credits, then Civil Law students will be asked to cover substantially the

same material for 11 credits rather than the present 16 credits. This will require adding 5 additional credits of course work to a load already sufficiently heavy.

An additional consideration arises concerning the national character of the McGill program. Under the newly constructed program, civil and common law students will be separated in all the foundation courses. This will tend to reduce both the social and academic interaction between students in the two programs.

Unlike the changes to the semi-obligs, this change was adopted with little, if any, discussion amongst the general student body; yet the longterm importance of the decision may be even greater. We therefore hope that this matter will be opened up to full debate before any further action is taken. The debate should proceed on the basis of specific proposals about revised course content, not just general statements of principle. We plan to circulate a petition to this effect. If you agree, please sign it.

**Greg Bordan
Josée Fecteau
Alain Bélieau
Jill Frank**

to 5:30 p.m.) would be reduced to only three hours. No other change would occur. It is highly unfortunate, and quite a rude awakening, to realize that people are unwilling to make a relatively minor sacrifice (if it could even be considered such) for the benefit of their fellow students.

Letter to the Editor,

I would like to express my dismay and disappointment at the failed attempt to alter the first year common law students' schedule. One of the necessary changes would require shifting Professor Sklar's Monday criminal law class from nine in the morning to three in the afternoon. This would allow other

schedule shifts for common law students, enabling them to have their Fridays off. What appeared to be a fairly simple procedure has succeeded only in demonstrating what I consider to be the pettiness of some of my so-called fellow "civilians". This minimal alteration entails some inconvenience in that the present enormous five-and-a-half hour break (from noon

Joani Tannenbaum

CANADA LAW GAMES NEWS

by Graeme Fraser

Now that our jolly holiday season is behind us for yet another year, and the thrills and chills of another semester of legal study have begun to set in, it is once again the time of year for that most highly anticipated sporting extravaganza, that true measure of ultimate athletic prowess, the Canada Law Games!

For those who may not yet have heard of the Law Games, they are organized each year at a different university, and law schools from across Canada are invited to participate. Sporting events are scheduled over three days of competition and range from the highly competitive -- such as snooker and darts -- to the more casual and recreational-type sports, like the triathlon.

This year the Games are to take place from February 5 to 9 at Queen's University in the limestone city -- Kingston, Ontario. Sir John A.'s old stomping grounds -- that crazy little hubbub of prison activity nestled on the shores of beautiful Lake Ontario -- a truly picturesque setting for our robust McGill athletes to excel in!

During the evening hours, the serious sportsmen (and women) either continue to train rigorously, or may just crash early in order to hone that winning edge for the next day's events; however, most of us will probably choose to attend several of the more socially-oriented events taking place into the wee hours of the morning. On that note we have, in fact, hit on what certain of our elite may view as the true "raison d'être" of the Games -- they're a good

excuse for a great party!

The Games serve, inter alia, as an opportunity to meet other "interesting" law students from across the country and discuss pressing legal issues on everyone's mind, or, if that doesn't turn your crank, the chance is there to just have a great time with new friends, or friend!

The sporting events which will be offered this year, as well as the respective captains from McGill:

Men's Ice Hockey -- Nick Vlahos
 Women's Ice Hockey -- Jane Graham
 Men's Basketball -- Paul Bentley
 Women's Basketball -- Sheila Walsh
 Men's & Women's Curling -- Lyle Carlstrom
 Men's & Women's Squash -- Ali Argun
 Co-ed Volleyball -- Leigh Gagnon
 Co-ed Broomball -- Lyse Charette
 Co-ed Inner-tube Waterpolo -- Andrea Lockwood
 Co-ed Triathlon -- Linny Rath
 Men's Ball Hockey -- Bill Rosenberg
 Darts (apm) -- Kenny Aboud
 Snooker (apm) -- Graeme Fraser

If anyone is interested in going to the Law Games and participating in one or more of these events, try and contact the respective captain(s) as soon as possible, as deadlines for the submission of final team lists is fast approaching. If you do not know the captain, or cannot contact him or her for whatever reason, or if you wanted just like to know some more information about the Law Games, please ask me, or leave a message for me at SAO, or

contact any of the other members of the Sports Committee: Del Daignault, Lyse Charette, or Bill Rosenberg.

Naturally, one of the more burning issues on each person's mind is: how much will this cost? Last year the Games were at the University of Western Ontario in London; with generous help from the LSA, the Dean, and the fund-raising efforts of the Sports Committee -- largely through the Frostbite Marathon, almost all of our hotel accommodation costs were reimbursed. So, without being extravagant, the average person's costs, in the end, were under \$100., including bus fare, a participation button at the Games which allowed access to social events at a reduced cost, and food and beverage. This year, transportation costs will be less since Kingston is only about three hours away. Queen's is, however, requiring all participants to purchase a participation button this year, for \$20.00.

Due to Kingston's proximity, some may wish to travel by car this year; however, we will have a bus for those who prefer that mode of travel. I hear that last year's trip down to London was more than a good time!

Our fund-raising efforts are well under way this year already; we have had two successful beer and pizza luncheons in the pit to date; this healthy tradition will be continuing each Wednesday for the next couple of weeks. We are also currently in the process of soliciting donations from law firms in

PLACEMENT CENTRE

Alberta

The Calgary office of PARLEE is presently recruiting students for articling positions for the 1987/88 year. Interested students are encouraged to apply in writing to the firm before February 15, 1986. Forward applications to:

Ms. Carolyn S. Phillips
Parlee
21st Floor
300-Fifth Avenue S.W.
Calgary, Alberta,
T2P 3C4

Refer to Posting #41.

The Articling Committee at Black & Company would like to invite second year law students to submit their applications for articles for the 1987/88 year. A copy of "ARTICLING WITH BLACK & COMPANY" is available in the Placement Office and also the Admissions Office. Formal interviews will be conducted between January 15 and February 28, 1986. Applications, together with resumés and transcripts should be forwarded to this firm as soon as possible. For further information refer to Posting #44.

Ontario

The firm of ROCK, MCCORRISTON, TALARICO, WONG, SHOREY of Ottawa are looking to employ an articling student for the year 1986/87. Resumés are being accepted and should be addressed to Mr. Roger W. Shorey at the indicated firm, 355 Waverly Street, Ottawa, Ontario, K2P 0W4.

Refer to Posting #33.

LANG, MICHENER, CRANSTON, FARQUHARSON & WRIGHT has a number of summer positions available for which interviews will be held, according to the

directives of the Law Society of Upper Canada, in the second week of February, 1986. Interested students should forward their resumés to:

Ms. Nancy Deshaw
Lang, Michener, Cranston,
Farquharson & Wright
P.O. Box 10
1 First Canadian Place
Toronto, Ontario
M5X 1A2

Refer to Posting #39.

Students who will be entering their last year of law school are invited to submit applications for summer positions with the firm of FRASER BEATTY. Students are asked to submit with their applications their law school marks received to date and that they forward their marks for the Fall term when available. Interviewing will take place prior to Monday, February 17, 1986 and all applications should be forwarded to:

Mr. C.E. Pinnington
Fraser & Beatty
P.O. Box 100
1 First Canadian Place
Toronto, Ontario
M5X 1B2

Refer to Posting #40.

McMILLAN, BINCH is accepting applications for the "SUMMER EXPERIENCE PROGRAMME 1986". (The programme is for those students who will have completed 2 years of law school by the summer of 1986.) Further information can be had in the McMillan, Binch Information for Articling Students Handbook available in the Admissions Office. Applications should be sent to:

Mr. Graham Scott
McMillan Binch
Royal Bank Plaza
P.O. Box 38
Toronto, Ontario
M5J 2J7

Refer to Posting #42.

B.C.

The firm of BARRIGAR & OYEN would like to correspond directly with law students having either Science or Engineering backgrounds. This firm is not only interested in articling students but also summer students and have openings in all three of their offices. Their Articling Students' Information Booklet is now available in the Admissions Office and a copy has also been placed in the Placement Centre. For further information regarding this firm please refer to Posting #43 in the Placement Centre.

FASKEN & CALVIN will be hiring six second year students during the summer of 1986. Interested students should forward their applications to this firm in order to arrange for a possible interview. Please refer to posting #44.

THE UPDATE TO THE ARTICLING VACANCY LIST DATED JANUARY 1986 AS PREPARED BY OSGOODE HALL HAS BEEN POSTED IN THE PLACEMENT CENTRE.

FIRM RESUMES AND ARTICLING NOTICES RECEIVED AND FILED IN ARTICLING BINDER IN ADMISSIONS OFFICE.

Timothy E.G. Fellowes, Q.C. & Associates, Toronto, Ontario
Crawford, Worling, Ewart, McKenzie & Donnelly, Orillia, Ontario
Sullivan, Mahoney, Graves, Matheson & Muratori, St. Catharines, Ontario
Hutchison, Thompson, Henderson & Mott, Milton, Ontario
Cooper, Johnson, Hardy & Fournier, Yellowknife, N.W.T.
William, Morris & Associates, Hamilton, Ontario

RÉUNION - CONSEIL DE L'A.E.D.

par Normand Perreault

Mercredi le 15 janvier j'ai assisté à une autre réunion captivante du conseil (mon éditeur prend plaisir à me faire rapporter ce genre d'activités; l'apprentissage me dit-elle...). Menée toutefois d'une façon efficace par son orateur David Lametti, la réunion fut assez brève et les sujets abordés ont été: le dîner de gala, les heures de bureau de l'association, la cafétéria, et l'adhésion en bloc au "Thompson House".

Dîner de Gala Événement annuel tenu généralement au mois de mars, on rapporte que pour des raisons incertaines cette soirée semble

intéresser surtout les étudiants de 3e et 4e année; on tient à réitérer que tous les étudiants sont invités. Aucun détail n'est cependant disponible du fait que les préparatifs n'ont pas encore débuté.

Heures du Bureau Le bureau ne sera plus ouvert à des heures régulières; alors vous devrez vous servir de la boîte aux suggestions ou contacter un des membres du conseil (votre président de classe par exemple) pour communiquer griefs ou idées.

Cafétéria Vous avez peut-être constaté la récente diminution du service (ouverture à 0830 au lieu de 0730; personnel réduit de trois à deux à l'heure du

lunch); aussi le conseil tentera-t-il de convaincre l'entreprise de revoir ces décisions.

Thompson House Dans ce qui semble être le but de fournir une base plus stable à l'épanouissement de la vie sociale de la faculté, le conseil cherchera d'ici peu à obtenir lors d'une assemblée générale, un mandat de négocier (sans toutefois conclure) un accord avec la "direction" du Thompson House visant un membership collectif de tous les étudiants. On a déjà avancé l'idée d'imposer un membership. On n'a pas mentionné de date pour la tenue de l'assemblée mais c'est à ne pas manquer: cela risque d'être fort intéressant.

Abella Cont'd from p. 1

la expressed the view that equality does not mean the same treatment for all. To eliminate discriminatory advantage, sometimes we must treat people the same, and sometimes we must treat people differently to remove the obstacles they face. She acknowledged that her view went against the trend but differences exist and must be respected. Her message is accomodation rather than denial of differences, and competition rather than adverse discrimination.

Furthermore, Judge Abella expressed strong dissatisfaction with quotas as a mechanism to achieve equality.

We strive to attain equality but, says Judge Abella, we must not only seek this objective, we must implement it, and that is what Section 15 of the Charter is all about. Section 15 is an expression of public confidence in the judiciary system. It is a victory for open mindedness. Judges, to render

justice, must open their minds to persons before them.

When asked whether progress has been made in recent years, Judge Abella answered that, except for the Drybones decision, there was no analysis of social implications in Bill of Rights decisions. Therefore, today there has been a dramatic shift in jurisprudence. It will take years before definite progress will take place and this will mean a change in the minds of most people. Nonetheless, she remains, as she calls herself, a "cautious optimist".

Law Games Cont'd from p. 9

Montreal. As well, on January 29th, the annual

Frostbite Marathon will be run from the Pit. All who are interested in running can pick up sponsor sheets now at SAO. Funds raised from this event will go

towards the Law Games and the heart fund. Keep an eye open for more information on the Frostbite Marathon.

CAREERS CONFERENCE '86

Tuesday, February 4th

Among the participants are:

From Montreal . . .

Ms. Maryse Bertrand,
Philips & Vineberg

Me. Norman Steinberg,
Ogilvy, Renault

Me. Hubert Sénécal
McMaster Meighen

From Toronto . . .

Mr. Jay A. Swartz,
Davies, Ward & Beck

Ms. Sarah E. Peppal
McMillan, Binch

Mr. Glenn Hainey
Smith, Lyons, Torrance

From Calgary . . .

Mr. James S. Peacock
Code Hunter

Don't miss it!